

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 078-08 281 SCHULTE LANE MODIFICATION OCTOBER 8, 2008

## APPLICATION OF MOHAMED MOHARRAM FOR 281 SCHULTE LANE, APN 055-230-002, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2008-00264)

The 1.83 acre project site is currently vacant. The proposed project involves a 3,851 square foot, 2-story single family residence with attached 3-car garage. The discretionary application required for this project is a <u>Modification</u> to permit a portion of the proposed residence and garage and two uncovered parking spaces within the required thirty-five foot (35') front setback (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor or opposition of the application, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, October 1, 2008.
- 2. Site Plans
- 3. Correspondence received in support of the project:
  - a. Kandace S. Illgen, 276 Schulte Lane, Santa Barbara CA 93105
  - b. Berta Schulte, 288 Schulte Lane, Santa Barbara CA 93105

## NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the subject application making the following findings and determinations:
  - A. The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.
  - B. The proposed encroachment is appropriate due to the constraints dictated by the configuration of the lot and its narrow width, and the proximity of Arroyo Burro Creek and the need to provide an appropriate buffer from the creek.

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- II. Said approval is subject to the following conditions:
  - 1. The uncovered parking area be screened from Schulte Lane with low water use plants and/or a solid screen wall or fence, the height of which shall be consistent with SBMC Section 28.87.170.
  - 2. Incorporate a permeable paving system for the project driveway and parking area that will allow a portion of the paved area runoff to percolate into the ground, except as necessary to meet Fire Department weight requirements. Materials in driveways and parking areas must be approved by the Public Works Director/Transportation Manager."

This motion was passed and adopted on the 8th day of October, 2008 by the Staff Hearing Officer of the city of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Gloria Shafer, Staff Hearing Officer Secretary

Date

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## PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- 2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
- 3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
- 4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
- 5. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 6. <u>NOTICE OF APPROVAL TIME LIMITS</u>: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.